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Attorneys for Defendant NCO Financial Systems, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JEFFREY MOLNAR, WESLEY
THORNTON, and AILEEN
MARTINEZ on behalf of themselves, all
others similarly situated and the general
public,

Plaintiffs,

vs.

NCO FINANCIAL SYSTEMS, INC., a
Pennsylvania Corporation

Defendant.

Case No. 13-CV-0131-BAS-JLB

JOINT MOTION TO EXTEND
SCHEDULED DATES BY 45 DAYS

COMES now Defendant, NCO Financial Systems, Inc. (“NCO”), and Plaintiffs, by and through undersigned counsel, hereby agree and request the Court’s approval of an extension of 45 days to the following scheduled dates set forth in the Court’s Scheduling Order of April 10, 2014. ECF No. 81. This Joint Motion is made with respect to the following dated:

1. On April 10, 2014, this Court issued a Scheduling Order in this case setting forth the following pertinent dates:

- a. “On or before **August 15, 2014**, each party shall comply with the disclosure provisions in Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. This disclosure requirement applies to all persons retained or specifically employed to provide expert testimony or whose duties as an employee of the part regularly involve the giving of expert testimony.” ECF No. 81 ¶ 2.
- b. “Any party shall supplement its class certification disclosure regarding contradictory or rebuttal evidence under Rule 26(a)(2)(c) on or before **August 29, 2014**.” ECF No. 81 ¶ 3.
- c. “Plaintiff shall file its motion for class certification on or before **September 23, 2014**.” ECF No. 81 ¶ 8.

2. The 45-day extension to each of these above-mentioned dates is needed for the following reasons:

1 a. Defendant's expert is scheduled to have rotator cuff surgery on
2 August 13, 2014, and will not complete his expert report by
3 August 15, 2014.
4

5 b. Counsel require the additional 45 days to complete the report,
6 necessitating an extension of the associated dates identified above.
7

8 Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED, by
9 and through undersigned counsel, that each of the above-referenced dates from the
10 April 10, 2014 Scheduling Order shall be continued 45 days.
11

12 a. On or before **September 29, 2014**, each party shall comply with
13 the disclosure provisions in Rule 26(a)(2)(B) of the Federal Rules
14 of Civil Procedure. This disclosure requirement applies to all
15 persons retained or specifically employed to provide expert
16 testimony or whose duties as an employee of the part regularly
17 involve the giving of expert testimony.
18

19 b. Any party shall supplement its class certification disclosure
20 regarding contradictory or rebuttal evidence under Rule
21 26(a)(2)(c) on or before **October 14, 2014**.
22

23 c. Plaintiffs shall file their motion for class certification on or before
24 **November 7, 2014**.
25
26
27
28

1
2
3 Dated: 7/22/14

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.

4 /s/ Michael D. Slodov

5 *Admitted pro hac vice*

6 Attorney for Defendant

NCO Financial Systems, Inc.

7
8 Dated: 7/22/14

LAW OFFICES OF RONALD A. MARRON

9 /s/ Kas Gallucci

10 Kas Gallucci

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11 San Diego, California 92103

12 Telephone: (619) 696-9006

13 Facsimile: (619) 564-6665

14 Attorney for Plaintiffs

15 **SIGNATURE CERTIFICATION**

16 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative
17 Policies and Procedures Manual, I hereby certify that the content of this document
18 is acceptable to Kas Gallucci, counsel for Plaintiffs, and that I have obtained Ms.
19 Gallucci's approval of her electronic signature to this document.
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21
22
23

24 Dated: 7/22/14

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.

25 /s/ Michael D. Slodov

26 *Admitted pro hac vice*

27 Attorney for Defendant

28 NCO Financial Systems, Inc.